

SOUTH DAKOTA BOARD OF EDUCATION

Meeting Minutes, September 19-20, 2005, Mitchell Technical Institute, Mitchell, South Dakota

The South Dakota Board of Education convened a regular meeting at 9:00 a.m. on Monday, September 19, 2005, at Mitchell Technical Institute in Mitchell, South Dakota.

Board Members

Glenna Fouberg, President; Kelly Duncan, Vice President; Jack Broome; Marilyn Hoyt, and Jan Nicolay were present September 19 and 20. Richard Gowen was present September 19. Barbara Everist, Roger Porch, and Clint Waara were absent.

Department of Education Staff Present

- Rick Melmer, Secretary, Office of the Secretary
- Deb Barnett, Deputy Secretary, Office of the Secretary
- Sandra Kangas, Education Program Assistant Manager, Child & Adult Nutrition Services
- Nicole Kranzler, Executive Assistant, South Dakota Board of Education
- Michelle Mehlberg, Reading First Director, Office of Curriculum, Technology & Assessment
- Wade Pogany, Director, Office of Curriculum and Instruction
- Kari Senger, Team Leader, Coordinated School Health, Office of Education Services & Support
- Melody Schopp, Director, Office of Accreditation & Teacher Quality
- Gloria Smith-Rockhold, Assistant Director, Office of Career & Technical Education
- Stephanie Weideman, NAEP/DACS Coordinator, Office of Curriculum, Technology & Assessment
- Mona Yanacheak, Program Representative, Office of Career & Technical Education

Others Present

Approximately 21 additional individuals attended all or part of the meeting. A list of those who signed the meeting register is filed in the board secretary's office.

Agenda Items

- 1) Adoption of September 19-20, 2005, Agenda
- 2) Adoption of July 18-19, 2005, Meeting and Public Hearing Minutes
- 3) Office of Curriculum, Technology, and Assessment Update
- 7) Presentation on the Boost-Up Program
- 8) Request Approval of Model Wellness Policy
- 4) Presentation on the Gear Up Grant
- 9) Public Hearing – Chapters 24:16:01-24:16:07 and 24:16:11-24:16:12 Teacher Preparation Program Approval
- 10) First Reading – Sections 24:15:01:01 Definitions, 24:15:02:03 Validity of Certificate, and 24:15:03:12 Ten Year Certificate
- 11) First Reading – Section 24:15:02:08 State Certification Exam Requirements
- 12) First Reading – Section 24:15:03:10 Authority to Act Application
- 13) First Reading – Section 24:15:06:39 K-12 Specialist Certification in Math and/or Science
- 15) First Reading – Chapters 24:43:01 Definitions and 24:43:12 Distance Learning
- 5) Update on the Certification of CEO/Building Managers
- 6) Request for Resolution of Special Education HOUSSE Rules for Highly Qualified Status
- 16) First Reading – Section 24:10:42:28 Formula for Funding.
- 17) Request for Approval of Articulation Agreements
- 19) Career & Technical Education Institute Updates
- 18) Request for Approval of Career & Technical Institutes' Budget Requests

- 20) High Schools That Work/Making Middle Grades Work
- 21) Review of State Statutes Affecting the South Dakota Board of Education
- 22) Update on the State Aid Study Task Force
- 23) Secretary's Report
- 24) Board and Committee Reports
- 25) Date and time of next meeting

AGENDA ITEM 1.0 - ADOPTION OF SEPTEMBER 19-20, 2005, AGENDA

Motion: Motion by Hoyt and second by Duncan to adopt the September 19-20, 2005, agenda with the omission of Item 14 First Reading – Chapter 24:16:08 Requirements for Basic Teaching Programs.

Conclusion: The motion carried.

AGENDA ITEM 2.0 - ADOPTION OF July 18-19, 2005, MEETING AND PUBLIC HEARING MINUTES

Motion: Motion by Broome and second by Gowen to adopt the July 18-19, 2005, meeting and public hearing minutes.

Conclusion: The motion carried.

AGENDA ITEM 3.0 – OFFICE OF CURRICULUM, TECHNOLOGY, AND ASSESSMENT UPDATE Dakota STEP Results

Weideman noted that this year's Dakota STEP scores show that a higher percentage of schools made AYP, fewer schools are in school improvement, the percent of students proficient and advanced in reading and mathematics has increased, and all subgroups have improved. She noted that the department continues to be concerned about the alarming gaps between subgroups, the fact that math scores still trail reading scores, and the difference between the ACT scores of students who have taken only core classes versus those who have taken non-core classes.

The board discussed the difference between the cut scores for math and reading. Melmer stated that the department feels that math scores should be higher, though they have improved. Weideman stated that the department was moving forward with math initiatives to combat the achievement gap between Native American and white students in math and the overall lower student scores in mathematics. Weideman reviewed data on subgroup scores (see summary document filed in the office of the board secretary).

SAT 10 Results

All scores stayed the same or increased with the exception of language in grade eight, which decreased slightly (see document filed in the office of the board secretary). Weideman explained why the SAT 10 is used; she noted that the SAT 10 is aligned to state content standards. Nicolay questioned why the scores decline between the eighth and eleventh grades; the board discussed possible reasons for the consistent decline between the two groups. Nicolay suggested that the state do an item analysis to determine the reasons for the decline; the department agreed to look into doing so.

ACT Scores Results

Weideman noted that South Dakota ACT scores have remained steady. Nicolay requested data on how many students took the new writing component of the ACT exam. Duncan asked how many students have taken the eighth grade ACT Explorer exam. The board discussed the benefits of administering the Explorer exam to eighth grade students as a diagnostic and test preparation tool.

The board reviewed the ACT scores (see document filed in the office of the board secretary) and discussed the difference between the scores of students who have taken only core versus non-core courses. Weideman noted that many bright students are no longer taking the ACT but are taking the SAT instead. Nicolay noted that some states require all students to take the ACT. Weideman noted that South Dakota's Native American students scored lower on the ACT and on the NAEP than the rest of the nation and than white students. Melmer and Weideman noted that achievement scores parallel students' socio-economic backgrounds.

DACS (Dakota Assessment of Content Standards)

Weideman stated that the department is continuing to offer DACS to schools free of charge. It is widely used and more and more schools are offering the exams each year.

Achievement Series

Weideman explained the Achievement Series, which is a testing platform through which schools can use online exams to assess students and receive immediate results. All of the testing items are tied to content standards. Weideman agreed to demonstrate the Achievement Series at the November board meeting.

CRT Website

Weideman explained that the department is developing a criterion-referenced test (CRT) website on which all student scores concerning state standards information will be available. States are required to make standards-based testing results available to parents and the CRT website will fulfill this requirement. The department hopes to have the website up and running in October. Weideman agreed to demonstrate the CRT website at the November board meeting.

AP (Advanced Placement) Programs

Michelle Mehlberg reviewed the annual AP program participation rates and exam data for South Dakota (see documents filed in the office of the board secretary). She noted that the department offers AP institutes to teachers through which teachers learn how to instruct AP courses.

The mean exam score for students who took AP exams in 2004 was 2.88, from a possible high score of 5; the board discussed possible reasons for the low average score.

Mehlberg stated that some AP courses are offered via the Digital Dakota Network (DDN) and APEX Learning, which offers AP courses online. She explained the funding for APEX Learning. Melmer noted that students who take AP courses via DDN score lower on the exams than those who take the courses in a regular face-to-face classroom environment. Mehlberg added that an online exam review for AP exams is available to students via APEX to help them prepare for the real exam.

Nicolay voiced concern about how little parents know about AP courses and exams. Melmer reviewed the College Board report on the number of AP exams taken at each school in South Dakota (see documents filed in the office of the board secretary). The board discussed the document and possible reasons why students might take AP courses but not the exams and ways to promote AP programs. Oldenkamp explained what is accepted by postsecondary schools with regard to AP course credit.

Gowen requested that information on AP be included on the department website to increase parent and student knowledge of AP courses. Mehlberg noted that most AP information is on the department's website but that the missing component is the coordination between the department, the high schools, and the postsecondary schools. Gowen requested that an overview be added to the department's AP website information that would explain the options students have regarding AP courses and exams and how to get credit for them at the postsecondary level.

Reading First

Mehlberg stated that the current 2005-2006 school year is the second year in which Reading First has been implemented so little can yet be gleaned from data about the success of the program. The Language for Learning and Language for Thinking programs are being piloted has begun in Bennett County and Wagner to teach students reading basics in order to increase their reading abilities.

Mehlberg speculated on why reading scores decrease at the eighth grade level.

Mehlberg stated that 24 schools are currently eligible for Reading First funding. She relayed some of the reasons schools have given for not implementing the Reading First program.

STEP Up to Writing

Mehlberg stated that the STEP Up to Writing program is an important addition to the 6+1 Writing Assessment. She explained and lauded the program and noted that the department will be promoting STEP Up to Writing throughout the state. The department feels that the program will help improve student achievement in writing.

End-of-Course Assessments

Mehlberg stated that the department is developing end-of-course assessments and placing them online for teacher use. She explained how the assessments creation process. She stated that the assessments will be voluntary and for use by teachers to help them assess the success of their instruction. She noted that the department has also conducted trainings for teachers on how to use assessments and assessment data to improve their instruction.

Curriculum Mapping

The Teacher Quality Grant is funding curriculum mapping training across the state. Mehlberg stated that the department's curriculum mapping conference in Sioux Falls was extremely successful and very well attended.

AGENDA ITEM 4.0 – PRESENTATION ON THE GEAR UP GRANT

Pogany relayed that the federal government awarded the Gear Up Grant to the department. The grant focuses on expanding opportunities for Native American students. The grant will be used to find ways to get more Native American students into postsecondary education. The grant allows for the expansion of the Native American education program based at the South Dakota School of Minds and Technology for grades 9-12 to grades 7-12 that is designed to encourage Native American students in their studies and to make them aware of their options regarding postsecondary education.

Pogany explained other programs the grant will assist. The grant is approximately 1.1 million dollars per year for six years and is geared toward about 24 different school districts.

The grant money is focused on Native American students because Native American students show the most need for educational assistance.

Pogany noted that Keith Moore, the department's Director of Indian Education, will implement and manage the grant.

AGENDA ITEM 7.0 – PRESENTATION ON THE BOOST UP PROGRAM

Teresa Determan, Elementary School Counselor, Gertie Belle Rogers Middle School, Mitchell, led the board in a Boost Up activity.

Marilyn Forst, Principal, Gertie Belle Rogers Middle School, Mitchell, explained the purpose of the Boost Up program and how it is administered at Gertie Belle school. Boost Up enhances the learning abilities of students and prepares them to learn. Forst noted that both the teachers and the students at Gertie Belle love the program. She added that the school is collecting data on the effects of the program. The Pierre school district and the other two elementary schools in Mitchell are also implementing Boost Up. Forst gave an overview of the program and noted that it is research-based.

Determan explained that the school's goal with the Boost-Up program is to get students' brains to operate at the most efficient level and explained the Learning Triangle (see documents filed in the office of the board secretary). Determan had students demonstrated Boost-Up reflex activities the improve students' reflexive movements. Kindergarten, first, and second grade are pretested before beginning the program.

Barbara Bauder, First Grade Teacher, Gertie Belle Rogers Middle School, Mitchell, explained how the program works in her class. At Gertie Bell, students do Boost Up activities five days a week in the Boost Up room, in physical education class, and in classrooms. Frequency, intensity, and endurance are three of the primary program goals. The program is not grant-funded but is also not expensive.

Forst noted that the program helps address obesity problems, assists special education students, and focuses students for learning. At Gertie Belle, students are given water during class to keep them hydrated and better able to focus. She explained that the time spent doing Boost-Up focuses students so much that students stay on task for longer periods of time while doing classroom schoolwork.

Forst explained Boost-Up program training. Determan noted that there a nutrition component is included in the program. She added that the school holds parent nights each year to inform parents about the program.

AGENDA ITEM 8.0 – REQUEST APPROVAL OF MODEL WELLNESS POLICY

Sandra Kangas and Kari Senger presented and requested board approval for the model wellness policy. She noted that the policy is a model that schools have the option to utilize, amend, and/or adopt as their own but that the federal government is requiring all schools to implement a wellness policy of some kind. Melmer noted that the proposed model wellness policy is available on the department's website.

Senger stated that the Office of Coordinated Health hopes to offer some training to schools regarding wellness policies as well as some technical assistance. Nicolay recommended that the term "business community" be added to the Rationale section of the proposed policy and that the phrase "nutritional education of the entire staff" be added to the Nutrition Education section.

Senger stated that Coordinated Health would look into the possibility of gathering data and success stories related to the implementation of the new policy. Nicolay suggested that the office also look into at what communities are doing to enhance school wellness.

Motion: Motion by Gowen and second by Duncan to approve the model wellness policy with the suggested amendments.

Conclusion: The motion carried.

AGENDA ITEM 9.0 – PUBLIC HEARING – CHAPTERS 24:16:01-24:16:07 AND 24:16:11-24:16:12 TEACHER PREPARATION PROGRAM APPROVAL

See attached.

AGENDA ITEM 10.0 – FIRST READING – SECTIONS 24:15:01:01 DEFINITIONS, 24:15:02:03 VALIDITY OF CERTIFICATE, AND 24:15:03:12 TEN YEAR CERTIFICATE

Schopp explained the reasons for and effects of the proposed administrative rule amendments (see documents filed in the office of the board secretary).

Motion: Motion by Nicolay and second by Gowen to move Sections 24:15:01:01 Definitions, 24:15:02:03, Validity of Certificate, and 24:15:03:12 Ten Year Certificate to a public hearing at the November board meeting.

Conclusion: The motion carried.

AGENDA ITEM 11.0 – FIRST READING – SECTION 24:15:02:08 STATE CERTIFICATION EXAM REQUIREMENTS

Schopp explained the reasons for and effects of the proposed administrative rule amendment (see documents filed in the office of the board secretary).

The board discussed whether someone with a lapsed certificate who's been out of the profession for a long period of time and may not have been highly qualified in all of the areas in which they were certified or who never taught should be allowed to forgo the exams as the proposed amendments would allow. Discussion ensued about other possibilities regarding recertifying those with lapsed certificates. Oldenkamp requested that the proposal be amended to include the requirement that the department verify that an applicant has the necessary content knowledge. Nicolay suggested putting a lapsed certificate timeframe requirement into the proposal rather than adding the requirement to track applicants' content knowledge.

Schopp stated that the responsibility for the hiring of qualified teachers ultimately falls on the district because the department can regulate certification but cannot guarantee that a teacher will be effective. She speculated that the department deals with around 20 lapsed certificates each year. Schopp noted that under the proposal, teachers with lapsed certificates would still be required to pick up six hours of content-related courses.

Motion: Motion by Broome and second by Gowen to move Section 24:15:02:08 State Certification Exam Requirements to a public hearing at the November board meeting. Duncan abstained.

Conclusion: The motion carried, 5-1.

AGENDA ITEM 12.0 – FIRST READING – SECTION 24:15:03:10 AUTHORITY TO ACT APPLICATION

Schopp explained authorities to act and the reasons for and effects of the proposed rule (see documents filed in the office of the board secretary). The rule will allow the department to better track authorities to act.

Motion: Motion by Nicolay and second by Gowen to move Section 24:15:03:10 Authority to Act Application to a public hearing at the November board meeting.

Conclusion: The motion carried.

AGENDA ITEM 13.0 – FIRST READING – SECTION 24:15:06:39 K-12 SPECIALIST CERTIFICATION IN MATH AND/OR SCIENCE

Schopp explained the requirements for the K-12 reading specialist program endorsement and how the proposed amendment was developed. Ben Saylor, Director, Center for the Advancement of Mathematics and Science Education, Black Hills State University, explained the need for the proposed endorsements. He

noted that in their discussions with schools, every school expressed the need for math and science specialists within their schools. He noted that teachers who obtain the proposed specialist certification could use it as a stepping-stone to a master's degree.

The department hopes to institute the proposed programs and then possibly build master's programs around them. Saylor stated that there are teachers who have many hours coursework applicable to a master's level degree but that they have not obtained a master's degree because an appropriate one is not available to them. Saylor stated that the proposal is designed to serve: (1) those who do not have a master's degree and do not plan to get one, but who would like to obtain a specialist endorsement, (2) those who would incorporate the specialist program into an existing or new master's degree program they are or would be taking, or (3) those who already have a master's degree in another area, but who want to obtain a specialist degree in mathematics or science.

Saylor noted that if the proposed administrative rule amendments were adopted, postsecondary institutions would then design the programs necessary to meet the requirements of the amendments.

The board suggested that a master's degree or equivalent requirement be added to the amendment. Schopp requested direction from the board as to whether the proposed amendment should develop content specialists, pedagogical specialists, or both types of specialists. The board discussed whether the requirements of the proposed amendment contribute to teacher leadership skills and whether the proposal should encompass all K-12 grade levels.

DeKraai voice concern that the addition of a master's degree requirement might prohibit teachers with years of experience and capable leadership skills from the math and science specialist programs. Melmer suggested that the requirements of specialist programs should be fairly stringent to ensure a high level of teacher quality. He suggested that Nationally Board Certification could be considered an equivalent to a master's degree if such a requirement were added to the proposal.

Motion: Motion by Nicolay and second by Gowen to refer section 24:15:06:39 K-12 Specialist Certification in Math and/or Science back to the department for investigation into the addition of a master's degree and national board certification requirement.

Conclusion: The motion carried.

AGENDA ITEM 15 – FIRST READING - CHAPTERS 24:43:01 DEFINITIONS AND 24:43:12 DISTANCE LEARNING

Schopp reviewed HB 1170, which requires that rules be promulgated regulating distance education programs in South Dakota. She noted that a task force was developed to create the proposed rules and explained the types of classes the proposed rules are designed to govern.

Pogany stated that the proposed amendments would lay a foundation for governing distance learning courses and would ensure that distance learning courses taken by students are legitimate and worthy of credit. Schopp added that the department hopes to add a directory to its website that would list legitimate distance courses for the public.

Pogany noted that the proposal marks the first time the department has created rules to approve courses rather than to accredit schools. Schopp noted that the goal of the proposed rules is to determine which courses are legitimate so students can be assured that they will be granted credit for the courses they are taking. Duncan encouraged the department to make the application process stringent to weed out non-

legitimate courses. Schopp noted that the department is also concerned that the distance courses students take are acceptable for the South Dakota Opportunities Scholarship.

The board discussed possibilities for ensuring that distance learning teachers meet § 24:43:12:01(3).

The board requested that the § 24:43:12:04 distance learning certificate issuance fee of \$25 be increased to \$100.

Schopp noted that districts that are offering distance learning among themselves in order to share instructors would be exempt from the requirements of the proposed amendment.

Motion: Motion by Nicolay and second by Duncan to move Chapters 24:43:01 Definitions and 24:43:12 Distance Learning to a public hearing with change of certificate issuance fee from \$25 to \$100 at the November board meeting.

Conclusion: The motion carried.

AGENDA ITEM 5.0 – UPDATE ON THE CERTIFICATION OF CEO/BUILDING MANAGERS

Schopp reviewed SB 173 from the 2004 legislative session, which requires that non-certified administrators submit a plan of intent to the department by July 1, 2005, that outlines their plans for completing one of three certification options (see document filed in the office of the board secretary). Schopp explained the requirements and options the senate bill put in place.

Schopp noted that administrators who have completed the Praxis II administrator exam have done exceptionally well. Currently, 43 public school administrators are not certified. She added that many non-certified administrators at non-public schools have also submitted plans of intent, though they are not required to do so. Schopp relayed the plan of intent status of the 43 non-certified public school administrators. The department is tracking and will follow up on all plans of intent.

AGENDA ITEM 6.0 – REQUEST FOR RESOLUTION OF SPECIAL EDUCATION HOUSSE RULES FOR HIGHLY QUALIFIED STATUS

Schopp noted that special education teachers do not have to be highly qualified but rather are required to have a certain amount of pedagogy and content knowledge. She explained why the department was requesting a resolution on the special education HOUSSE rules regarding the assessment of special education teachers' content knowledge.

Schopp explained the proposed HOUSSE rules (see document filed in the office of the board secretary), which require that special education teachers prove content knowledge to become highly qualified by passing the appropriate Praxis II exam (see document filed in the office of the board secretary). Schopp stated that the proposed rules had not yet been given to the U.S. Department of Education for approval.

She noted that the department intends to get the requirements to the districts as soon as possible and to offer assistance to districts to help them meet the requirements of rules.

One written public comment was received in opposition to the proposed HOUSSE rules (see document filed in the office of the board secretary). Two oral public comments were received in favor of the proposed rules.

Schopp noted that special education teachers are required to be highly qualified in all four core content areas. Under the proposed rules, teachers with master's degrees would be considered highly qualified.

Motion: Motion by Duncan and second by Broome that the board resolve to support the proposed HOUSSE rules.

Conclusion: The motion carried.

AGENDA ITEM 16.0 – FIRST READING – SECTION 24:10:42:28 FORMULA FOR FUNDING

Mitch Richter, Lobbyist, stated that the primary effect of the proposed administrative rule amendment would be a change to the funding formula regarding program completers.

He noted that the last paragraph of 24:10:42:29 and 24:10:42:27(4) would be deleted.

Motion: Motion by Broome and second by Nicolay to move Section 24:10:42:28 Formula for Funding to a public hearing at the November board meeting.

Conclusion: The motion carried.

AGENDA ITEM 17.0 – REQUEST FOR APPROVAL OF ARTICULATION AGREEMENTS

Motion: Motion by Gowen and second by Duncan to approve the articulation agreements.

Conclusion: Nicolay voted “Nay.” The motion carried, 5-1.

AGENDA ITEM 19.0 – CAREER & TECHNICAL EDUCATION INSTITUTE UPDATES

Richter gave an update on the career and technical institutions (see document filed in the office of the board secretary) and the progress they have made during the past ten years in the following areas:

- Faculty and staff changes,
- Physical campus square footage,
- Utilities costs,
- Enrollment trends,
- State Aid trends,
- Tuition increases,
- Set asides,
- Bonds,
- Perkins funds,
- Higher Education Price Index (HEPI) inflation indexing,
- 2007 career and technical institution budget request.

Richter and the board discussed the use of the HEPI Index.

AGENDA ITEM 18.0 – REQUEST FOR APPROVAL OF CAREER & TECHNICAL INSTITUTE’S BUDGET REQUESTS

Richter reviewed the 2007 career and technical institution budget request. He noted that the maintenance and repair request was doubled but that the bonding request was the same. The net increase of the budget proposal was just over \$2.6 million.

Richter noted that the career and technical institutions have never presented a full budget before. The institutions plan to talk with legislators about the institutions’ funding needs. The board and the institutions discussed legislative budget appropriations to the institutions versus to the Regental institutions.

The board discussed the procedure for moving the institutes' budget request forward. The determination was made that the institutes' request for board support was simply a formal procedure through which the board can show its support for the institutes' budget request and the institutes' can show their respect for the board's governance over the institutes' tuition. Nicolay suggested that the board support the institutions' budget request. Melmer stated a discussion regarding the governance of the institutions should probably be held in the near future.

Motion: Motion by Nicolay to support the career and technical institutions' 2007 budget request.

Conclusion: The motion died for lack of a second.

Motion: Motion by Hoyt stating that the board realizes that the increase in tuition funds that the career and technical institutions receive do not meet the funding needs of the career and technical institutions, and that therefore, the board encourages the institutions to seek additional support from the governor and/or the South Dakota legislature.

Conclusion: The motion died for lack of a second.

Motion: Motion by Nicolay and second by Duncan to support the career and technical institutions' 2007 budget request.

Conclusion: The motion carried.

OTHER BUSINESS

Fouberg stated that constituents have requested that the board make a public statement of position in opposition to changing the law to move the official starting date of the school year.

The board decided to develop talking points on the issue and requested that the department work with them to develop and publish a press release statement on the issue.

Motion: Motion by Broome and second by Hoyt that the board endorse local control over the establishment of a school calendar.

Conclusion: The motion carried.

AGENDA ITEM 20.0 – HIGH SCHOOLS THAT WORK/MAKING MIDDLE GRADES WORK

Curt Cameron, Principal, Vermillion High School, Vermillion, reviewed the history of Vermillion's involvement in the High Schools That Work program. Vermillion has been using the program for nearly a year. Cameron explained that grant money was used to develop and implement their school improvement plan. He noted that the school developed a tech track but cannot get it going due to lack of funding; the school needs funds to help pay for internships for students taking that track.

Cameron stated that the high school has implemented "Writing to Win: Journal Writing Across the Curriculum" and uses it in conjunction with 6+1 Assessments. He noted that his teachers like both programs.

Cameron stated that the high schools' goals through the High Schools That Work program are to increase technical students' academic and technical competencies and to close the achievement gap in math, science, and communications between tech students and traditional students.

He reviewed the 10 key concepts of the High School That Work program, how the school implemented the program, and the school's three to five year plan for improvement.

Cameron explained the Writing to Win program.

The board discussed the technical track and whether internships could replace coursework and still be rigorous enough for students; Cameron explained how the Vermillion high school would address the issue of rigor.

Melmer addressed the issue of student writing and the fact that several writing improvement programs are being used within South Dakota. He speculated that perhaps the state might ultimately need to endorse one program.

Janna Ellingson, Principal, Flandreau High School, reviewed how Flandreau district implemented the Middle Schools That Work program (see document filed in the office of the board secretary). She reviewed the district's accomplishments through the program and stated that the district was working on implementing the High Schools That Work program. She noted that both programs are easy for districts to use because the programs are already research-based and the programs are already developed so schools simply have to implement the recommended processes.

She noted that she has seen a shift in the mentality of students who now choose to take challenging courses rather than slough courses during their senior years.

Ellingson explained how the district judges the success of the programs. She stated that their students' Dakota STEP scores have been climbing. She noted her concern about Flandreau's low graduation rate, which the district is hoping to increase.

Ellingson explained the Senior Applications of Math program that Flandreau has implemented, which prepares students who struggle with math for college-level math courses.

Smith-Rockhold explained the Writing to Win program, which is a writing-to-learn strategy based on content and is applicable to all content areas and which enhances student learning in all content areas.

The Timber Lake, Wessington Springs, Burke, Todd County, East Dakota Cooperative, Chamberlain school districts have or will be implementing the High School That Work program.

AGENDA ITEM 21.0 – REVIEW OF STATE STATUTES AFFECTING THE SOUTH DAKOTA BOARD OF EDUCATION

Barnett gave the board a summary of the South Dakota Codified Laws that govern the board (see document filed in the office of the board secretary).

Barnett recommended the repeal of SDCL 1-45-6.5. The board agreed.

Duncan questioned the applicability of the requirements of SDCL 1-45-6.3. The board discussed the statute and recommended the repeal of the statute.

Barnett recommended the repeal of SDCL 13-1-22.1. The board agreed.

The board recommended the repeal of the last sentence of SDCL 13-1-31, which states that "The board may not require minimum library expenditures."

Barnett recommended the repeal of SDCL 13-1-44. The board agreed.

Duncan is the board member assigned to the Council. The board requested that the department check with Weideman regarding whether SDCL 13-3-55.1(5) is still necessary. Currently, Duncan is the Board of Education representative on the Academic Achievement Test Advisory Council.

The board requested that the department consult legal council to determine the necessity and applicability of SDCL 13-5-14.

The board requested that the department review SDCL 13-5-34 to determine whether it should be amended. The department agreed to conduct the review and to present a summary of the administrative rule exemption process and the status of exemptions currently in place.

The board requested that the department amend SDCL 13-26-2 to clarify to which board the law refers.

The board agreed that 13-39-37(6) should be implemented. The career and technical institute presidents and directors agreed to present and explain how they created their current budget at the November board meeting.

Donna DeKraai, President, South Dakota Education Association inquired as to whether state statute grants the board authority to govern pre-kindergarten education. The board determined only SDCL 13-3-1.4 references pre-kindergarten and decided to look into the issue further.

The board suggested that career and technical education references be separated from post secondary education references within state statute. The board requested that the career and technical institutions and the new Office of Career & Technical Education director review the state statutes prior to the November board meeting and participate in a board discussion of how the statutes could be changed to separate career and technical education references and post secondary education references in SDCL 13-39 and ARSD 24-10. Richter noted that the institutes had planned to propose rewritten statutes that would create separate chapters governing only the career and technical education institutions. The board speculated that a major statute overhaul might not be appropriate at present due to governance questions, but that the language of the statutes governing the institutes could be updated.

The board decided that new statutes governing the institutes should be drafted and that the governance structure could be added to the new statutes at a later time. The department agreed to proceed with drafting the new statutes. Gross requested that provisional program approval language be added to the new statute proposal.

AGENDA ITEM 22.0 – UPDATE ON THE STATE AID STUDY TASK FORCE

Melmer noted that the State Aid Study Task Force would be meeting again in November. The task force hopes to have an interim report to the legislature in November. An overview covering the task force objectives and guidelines is included in the board packet (see document filed in the office of the board secretary). Melmer stated that the task force hopes to make some recommendations for changes to the legislature during the 2006 session.

Broome stated that he is on the Associated School Boards of South Dakota Adequacy Study Task Force. This task force hopes to have a report ready for the Legislature in December.

AGENDA ITEM 23.0 – SECRETARY'S REPORT

2010 E – Planning meetings are still under way. The initiative is not ready to launch.

McRel Policy Forum – Melmer and Fouberg attended the forum.

U.S. Department of Education High School Task Force – Melmer is serving on the U.S. Department of Education High School Task Force. The task force is discussing issues parallel to those of High Schools That Work.

Town Hall Meetings – Melmer gave the board the Rutland Town Meeting PowerPoint outline (see document filed in the office of the board secretary) that the Governor used and reviewed some of the information contained in the document. Melmer voiced concern about high school achievement results at smaller schools. Nicolay requested projected high school enrollment data for all school districts; the department agreed to gather the data and send it to the board.

Melmer noted that the department is looking into why staffing in schools has increased while enrollment continues to decrease.

The board discussed town hall meetings.

Tours of Public University Education Departments – Melmer, Melody Schopp, Wayne Lueders, Christie Johnson, and Tad Perry will be touring the five education departments at the five public universities. Melmer reviewed the dates of the tours and invited the board to join them.

Management Team Retreat – The next department management team retreat will be held at Custer State Park on September 26-28, 2005.

AGENDA ITEM 24.0 – BOARD AND COMMITTEE REPORTS

Fouberg will be attending the Civic Education Committee meeting in Washington, D.C. Saturday, September 24 through Tuesday, September 27.

AGENDA ITEM 25.0 – DATE AND TIME OF NEXT MEETING

A joint Board of Education and Board of Regents meeting will be held October 19, 2005, at 1 p.m. in Vermillion at the University of South Dakota. The next regularly scheduled Board of Education meeting is November 14-15, 2005, at the Ramkota River Centre in Pierre.

I, Rick Melmer, Executive Officer of the South Dakota Board of Education, declare the foregoing September 19-20, 2005.

Rick Melmer